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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,143	08/25/2003	Richard Harvey	063170.6610	3235
5073	7590	11/04/2009	EXAMINER	
BAKER BOTTS LLP, 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			CUMARASEGARAN, VERN	
		ART UNIT	PAPER NUMBER	
		3629		
		NOTIFICATION DATE		DELIVERY MODE
		11/04/2009		ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/648,143	HARVEY ET AL.
	<b>Examiner</b>	Art Unit VERN CUMARASEGARAN 3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 30 June 2009.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 7-26 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 7-26 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 8/17/09, 6/30/09

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 7-9, 14-16, 21-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Caviles (US 6,752,313 B1).

**As to claims 7, 14, 21** Caviles shows providing a data repository storing a hierarchy of objects (column 4 lines 8-33 *where it is shown that a database stores information related to merchants such as the merchant identification numbers (MIDs), terminal identification numbers (TIDs) and gateway identification numbers (GIDs). It is well known in the art that a relational database containing such information would be organized in a hierarchy where the relationship of the identification numbers to their respective merchants would be mapped.*);

storing at least one first Business Service object under a first Business Entity object identifying a first business entity, the first Business Service object identifying a business service that is provided by the first business entity (Fig.1 “acquiring bank”

*where information regarding payments made to merchants by the acquiring bank would be stored by the bank);*

storing a Business Service Projection object under a second Business Entity object identifying a second business entity, the Business Service Projection object identifying that the second business entity offers an interface to the business service provided by the first business entity (Fig.1 *"issuing bank" where the payments to merchant would be projected under the issuing bank. The interface offered by the second business entity is considered to be the credit card*);

using one or more processing systems to receive a modification to the first Business Service object; and using the one or more processing systems to automatically modify the Business Service Projection object in response to receiving the modification to the first Business Service object (col.4 lines 43-47 *where first Business Service objects would include transaction information from the merchant*).

**As to claims 8, 15 and 22**, Caviles show representing an alternative name (col.2 ln.57-59 *"VISA"*), including representing the alternative name by a Directory technology alias feature (Fig.3 *where information is stored in databases. Directory technology is interpreted to be a database*).

**As to claims 9, 16 and 23**, Caviles show alias feature being embodied in an alias object including a naming attribute with a value being an alternative name (VISA) and including an alias object name with a value being a name of Directory object to which the alias points (Fig.5 *where when a MID table is updated, it is inherent that a pointer to the information would be included in the database*).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10,17,24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caviles in view of Katz (US 2002/0062259).

**As to claim 10, 17 and 24,** Katz shows deleting a data object hierarchy in a database upon a request for deletion (paragraph 164). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate a deletion feature since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Claims 11,12,18,19,25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caviles in view of Rajasekaran (US 2002/0124003)

**As to claims 11, 12, 18, 19 and 25,** Rajasekaran shows searching of the data repository for services provided by the second business entity ("search query element k") yields the business service provided by the first business entity ("set S"). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate a search feature since the claimed invention is merely a combination of old elements, and in the

combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Claims 13, 20, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caviles in view of Goldberg (US 6,571,232).

**As to claim 13, 20 and 26**, Goldberg shows a database being able to be modified and also not being able to be modified by disabling an auto commit feature (column 38 lines 28-34). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate a search feature since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

#### *Response to Arguments*

Applicant's arguments filed June 30, 2009 have been fully considered but they are not persuasive. As to the applicant's first argument regarding the storing of hierarchy of objects, Caviles shows storing a hierarchy of objects in column 4 lines 8-33 where it is shown that a database stores information related to merchants such as the merchant identification numbers (MIDs), terminal identification numbers (TIDs) and gateway identification numbers (GIDs). It is well known in the art that a relational database containing such information would be organized in a hierarchy where the

relationship of the identification numbers to their respective merchants would be mapped.

Contrary to applicant's assertions, Caviles also shows storing at least one first Business Service object ("merchant") under a first Business Entity object identifying a first business entity, the first Business Service object identifying a business service that is provided by the first business entity (column 4 lines 26-33 an *acquiring bank would store information regarding a merchant obtained from the online form*).

As to the limitation of storing a Business Service Projection object under a second Business Entity object identifying a second business entity, Caviles shows at the end of a business day, the acquiring bank sending "transaction files to each of the card issuing banks whose credit card holders have entered transactions" (column 3 lines 1-14). Since the acquiring bank waits for the end of the business day to perform this action, the data regarding the card issuing banks would inherently have to be stored until the end of business day. Furthermore, Caviles shows identifying that the second business entity offers an interface to the business service provided by the first business entity in column 3 lines 1-14 where a credit card offered by the issuing bank is considered to be an interface to the merchant services.

Applicant further argues that Caviles does not show using the one or more processing systems to automatically modify the Business Service Projection object under the second business entity in response to receiving the modification to the first Business Service object under the first business entity. Examiner respectfully disagrees and reminds the applicant that a reference is to be considered not for what it expressly

states, but for what it would reasonable have suggested to one of ordinary skill in the art [see *In re Delisle*, 160USPQ 806 (CCPA 1969)]. It is old and well known in the art that when a merchant accepts a return of a product from a customer, modification to the customer's credit card account maintained by the issuing bank would be performed. Therefore, the "transfer of funds covering the transaction to the acquiring bank" (column 3 lines 16-18) by the issuing bank would take into account any refunds or returns made to the customer by the merchant, by subtracting such refunds or returns from the transaction total.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VERN CUMARASEGARAN whose telephone number is (571)270-3273. The examiner can normally be reached on Monday - Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vern Cumarasegaran/  
Examiner, Art Unit 3629

/JOHN G. WEISS/  
Supervisory Patent Examiner, Art Unit 3629